

51 Am. Jur. 2d Licenses and Permits § 10

American Jurisprudence, Second Edition | May 2021 Update

Licenses and Permits
Jill Gustafson, J.D.

II. Power to Require License

B. Police Power

§ 10. Activities which state may prohibit

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

West's Key Number Digest, [Licenses](#) 3 to 5.1

A.L.R. Library

[Validity, construction, and application of state laws imposing tax or license fee on possession, sale, or the like, of illegal narcotics, 12 A.L.R.5th 89](#)

Whatever a state may forbid or regulate, it may permit upon condition that a fee be paid in return for the privilege, and such fee may be exacted to discourage the prosecution of a business or to adjust competitive or economic inequalities.¹ However, licensing schemes do not render legal products or devices that are illegal under other provisions of state law.²

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Footnotes

¹ [Great Atlantic & Pacific Tea Co. v. Grosjean, 301 U.S. 412, 57 S. Ct. 772, 81 L. Ed. 1193, 112 A.L.R. 293 \(1937\).](#)

² [State v. One Coin-Operated Video Game Mach., 321 S.C. 176, 467 S.E.2d 443 \(1996\).](#)

